UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,680	01/18/2001	Andrew S. Wright	DATUMTE.007A	6925

20995 7590 05/18/2005

KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER	
FAN, CHIEH M	

ART UNIT	PAPER NUMBER
2634	

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/764,680	WRIGHT, ANDREW S.	
	Examiner	Art Unit	
	Chieh M. Fan	2634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 December 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5 and 7-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *30 and 31* is/are allowed.

6)☒ Claim(s) *7-12,19-21,24-26 and 32* is/are rejected.

7)☒ Claim(s) *1-5,13-18,22,23 and 27-29* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12/2/04* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *12/2/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 1-5 and 19 are objected to because of the following informalities:

Regarding claim 1, "a magnitude of the analog error signal" in lines 14-15 should be changed to --- a magnitude of an analog error signal ---; and "generate an analog error signal" in line 19 should be changed to --- generate the analog error signal ---.

Regarding claim 19, "the delayed analog input signal" in lines 9-10 and in line 11 should be changed to --- the delayed input signal ---.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 7-12, 19, 20, 24-26 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. (U.S. Patent No. 4,291,277, listed in the IDS filed 3/29/01, "Davis" hereinafter) in view of Ichiyoshi (U.S. Patent No. 5,699,383).

Regarding claim 7, Davis teaches a method of transmitting a radio frequency (RF) power signal, the method comprising:

receiving an input signal (10, 12 in Fig. 4);

predistorting the input signal (21 in Fig. 4), where the predistortion compensates for at least part of an intrinsic distortion of a power amplifier (34 in Fig. 4);

up-converting the predistorted input signal such that a carrier wave is modulated with the predistorted input signal (26, 32 in Fig. 4);

amplifying the modulated carrier wave with the power amplifier (34 in Fig. 4);

receiving an output of the power amplifier (36 in Fig. 4);

down-converting the signal of the output of the power amplifier to an intermediate frequency (33, 29 in Fig. 4);

combining the delayed input signal with the down-converted sample such that an amplitude of the combined signal is less than an amplitude of the down-converted sample (17I, 17Q in Fig. 4);

converting the combined signal from analog to digital (38I, 38Q in Fig. 4); and

receiving the digital combined signal and revising the predistorting of the input signal in response to the digital combined signal such as to reduce a distortion in the output of the power amplifier (20I, 20Q in Fig. 4).

Davis does not particularly teach the step of delaying the input signal such that a content of the input signal is substantially time aligned with the content of the down-converted sample of the output of the power amplifier. However, such step of delaying is inherent and explicitly required for the comparators (or summation circuits) 17I and

17Q to make proper comparison, otherwise erroneous comparison results will be generated due to misalignment. In the same field of endeavor, Ichiyoshi teaches such delaying (27 in Fig. 1). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to delay the desired signal relative to the input transmission signal such that the desired signal is substantially time aligned with the feedback signal, since such delay is explicitly required to provide a proper comparison result.

Regarding claim 8, the combining of the delayed input signal with the down-converted sample substantially eliminates a main signal component of the down-converted sample from the combined signal (col. 6, lines 18-21, that is, the outputs of the summation circuits 17I and 17Q are the variation in the AM/AM and AM/PM conversion character of the power amplifier).

Regarding claim 9, Davis teaches a method of generating an error signal that can be used to reduce distortion in a radio frequency (RF) output signal of an RF transmitter, the method comprising:

Receiving an output signal of the transmitter (36 in Fig. 4);

down-converting the signal of the output signal from an RF signal to a down-converted signal (33, 29 in Fig. 4);

receiving an input signal of the transmitter (10, 12 in Fig. 4), where the input signal is digital;

converting, from digital to analog, a delayed input signal to the analog delayed input signal (15I, 15Q in Fig. 4);

combining the down-converted signal with the analog delayed input signal to produce a modified down-converted signal such that an amplitude of the modified down-converted signal is reduced relative to an amplitude of the down-converted signal (17I, 17Q in Fig. 4); and

converting the modified down-converted signal, from analog to digital, to produce the error signal (38I, 38Q in Fig. 4).

Davis does not particularly teach the step of delaying the input signal to produce a delayed input signal to approximately time align an analog delayed input signal with the down-converted signal. However, such step of delaying is inherent and explicitly required for the comparators (or summation circuits) 17I and 17Q to make proper comparison, otherwise erroneous comparison results will be generated due to misalignment. In the same field of endeavor, Ichiyoshi teaches such delaying (27 in Fig. 1). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to delay the desired signal relative to the input transmission signal such that the desired signal is substantially time aligned with the feedback signal, since such delay is explicitly required to provide a proper comparison result.

Regarding claim 10, wherein down-converting the signal of the output signal from the RF signal to the down-converted signal comprises down-converting the signal to complex baseband (30I, 30Q in Fig. 4).

Regarding claim 11, wherein down-converting the signal of the output signal from the RF signal to the down-converted signal comprises down-converting the signal to an Intermediate Frequency (see output of 33 in Fig. 4).

Regarding claim 12, wherein combining the down-converted signal with the analog delayed input signal further comprises subtracting the analog delayed input signal from the down-converted signal (17I, 17Q in Fig. 4, col. 4, lines 61-65).

Regarding claim 19, Davis teaches a method of generating an error signal that can be used to reduce distortion in a radio frequency (RF) output signal of an RF transmitter, the method comprising:

receiving a signal of the output signal of the transmitter (36 in Fig. 4);

down-converting the signal of the output signal from an RF signal to a down-converted signal (33, 29 in Fig. 4);

receiving an input signal of the transmitter, where the input signal is digital (10, 12 in Fig. 4);

converting, from digital to analog, the input signal to an analog input signal (15I, 15Q in Fig. 4);

combining the down-converted signal with a delayed analog input signal to produce a modified down-converted signal such that an amplitude of the modified down-converted signal is reduced relative to an amplitude of the down-converted signal (17I, 17Q in Fig. 4); and

converting the modified down-converted signal, from analog to digital, to produce the error signal (38I, 38Q in Fig. 4).

Davis does not particularly teach the step of delaying the input signal to produce a delayed input signal to approximately time align an analog delayed input signal with the down-converted signal. However, such step of delaying is inherent and explicitly required for the comparators (or summation circuits) 17I and 17Q to make proper comparison, otherwise erroneous comparison results will be generated due to misalignment. In the same field of endeavor, Ichiyoshi teaches such delaying (27 in Fig. 1). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to delay the desired signal relative to the input transmission signal such that the desired signal is substantially time aligned with the feedback signal, since such delay is explicitly required to provide a proper comparison result.

Regarding claims 20, 24 and 25, Davis teaches a method of responsively filtering a first component from a first signal to efficiently utilize an input range of an analog-to-digital converter used to detect and measure a second component of the first signal, the method comprising:

receiving the first signal (30I, 30Q in Fig. 4);

receiving a second signal, where the second signal is related to the first component of the first signal (15I, 15Q in Fig. 4);

subtracting the second signal from the first signal to generate an error signal (17I, 17Q in Fig. 4, col. 4, lines 61-65); and

applying the error signal to the analog-to-digital converter (38I, 38Q in Fig. 4).

Davis does not particularly teach the step of delaying the second signal to align the second signal with the first component of the first signal. However, such step of delaying is inherent and explicitly required for the comparators (or summation circuits) 17I and 17Q to make proper comparison, otherwise erroneous comparison results will be generated due to misalignment. In the same field of endeavor, Ichiyoshi teaches such delaying (27 in Fig. 1). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to delay the desired signal relative to the input transmission signal such that the desired signal is substantially time aligned with the feedback signal, since such delay is explicitly required to provide a proper comparison result.

Regarding claim 26, Davis teaches radio frequency (RF) transmitter with adaptive predistortion comprising:

a predistortion circuit (21 in Fig. 4) that predistorts an input signal to a predistorted input signal in response to maintained coefficients in a predistortion kernel, where the predistortion is substantially complementary to an intrinsic distortion in an RF power amplifier (34 in Fig. 4);

an RF up-converter (26, 32 in Fig. 4), which produces a modulated a carrier wave from the predistorted input signal;

the RF power amplifier (34 in Fig. 4), which amplifies the modulated carrier wave;

a coupler (35 in Fig. 4), which provides a signal of the amplified modulated carrier;

an RF down-converter (33, 29 in Fig. 4), which converts the signal of the amplified modulated carrier wave to a down-converted signal;

a digital-to-analog converter (15I, 15Q in Fig. 4) that converts a delayed input signal to an analog delayed input signal;

a summing node (17I, 17Q in Fig. 4) adapted to combine the analog delayed input signal with the down-converted signal to generate a summed Output such that the analog delayed input signal and the down-converted signal at least partially destructively interfere;

an analog-to-digital converter (38I, 38Q in Fig. 4) that converts the slummed output to a digital summed output; and

an adaptive control processing and compensation estimator circuit (19I, 19Q in Fig. 4) that monitors the digital summed output and provides updates to the predistortion circuit such that the predistortion of the input signal remains substantially complementary to the intrinsic distortion of the RF power amplifier.

Davis does not particularly teach a delay circuit for delaying the input signal to produce the delayed input signal. However, such delay circuit is inherent and explicitly required for the comparators (or summation circuits) 17I and 17Q to make proper comparison, otherwise erroneous comparison results will be generated due to misalignment. In the same field of endeavor, Ichiyoshi teaches a delay circuit (27 in Fig. 1). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to delay the desired signal relative to the input transmission signal such that the desired signal is substantially time aligned with the

feedback signal, since such delay is explicitly required to provide a proper comparison result.

Regarding claim 32, Davis teaches a circuit that filters a first component (the signal to be transmitted in Fig. 4) from a first signal (30I, 30Q in Fig. 4) to efficiently utilize an input range of an analog-to-digital converter (38I, 38Q in Fig. 4) used to detect and measure a second component (distortion introduced by power amplifier 34 in Fig. 4) of the first signal, the circuit comprising:

a conversion circuit (15I, 15Q in Fig. 4) adapted to convert a delayed second signal (14I, 14Q in Fig. 4) from digital to analog form; and

a comparison circuit (17I, 17Q in Fig. 4) adapted to combine the analog form of the delayed second signal with the first signal such that the presence of the first component is diminished in an output of the comparison circuit (col. 6, lines 18-21, the outputs of the summation circuits 17I and 17Q are only the variation in the AM/AM and AM/PM conversion character of the power amplifier, i.e., the distortion introduced by the power amplifier 34).

Davis does not particularly teach a delay circuit adapted to delay a second signal to a delayed second signal such that an analog form of the delayed second signal aligns with the first component of the first signal. However, such delay circuit is inherently and explicitly required for the comparators (or summation circuits) 17I and 17Q to make proper comparison, otherwise erroneous comparison results will be generated due to misalignment. In the same field of endeavor, Ichiyoshi teaches a delay circuit (27 in Fig. 1). Therefore, it would have been obvious to a person of ordinary skill in the art at the

time the invention was made to delay the desired signal relative to the input transmission signal such that the desired signal is substantially time aligned with the feedback signal, since such delay is explicitly required to provide a proper comparison result.

4. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. (U.S. Patent No. 4,291,277, listed in the IDS filed 3/29/01, "Davis" hereinafter) in view of Ichiyoshi (U.S. Patent No. 5,699,383) as applied to claim 20 above, and further in view of Flugstad et al. (U.S. Patent No. 4,810,977, "Flugstad" hereinafter).

Davis in view of Ichiyoshi teaches the claimed invention, but does not teach the step of adjusting a relative amplitude of the error signal versus an input range of the analog-to-digital converter such that the error signal approximately conforms to the input range. However, it is well known in the art that the input to an ADC needs to be limited within the dynamic range of the ADC so as to provide accurate results. Flugstad teaches scaling the input to an ADC to permit the use of the full range of ADC. If the ADC is not utilized over its full range, accuracy and resolution is lost (col. 4, lines 6-9). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to scale the outputs 18I, 18Q of the summation circuit 17I, 17Q of Davis before they are input to the ADC's 38I, 38Q, so as to provide accurate results.

Specification

5. After further review the application, the examiner cannot locate the written support of the claimed limitation "adaptively scaling the delayed input signal relative to the input signal in response to the error signal" (emphasis added) in claim 18. The applicant is requested to indicate which portion in the specification that supports the claimed limitation or amend the specification to provide a detailed description for the claimed limitation. Otherwise, the underlined portion of the claim above should be deleted from the claim. However, the applicant is advised that if the underlined portion is deleted, the claim may be rejected since it is known to limit the amplitude of an input signal to an analog-to-digital converter within the operation range of the A/D converter so as to maintain proper operation of the A/D converter (see, for example, the reference Flugstad).

Response to Arguments

6. Applicant's arguments filed 12/2/04 have been fully considered but they are not persuasive.

The applicant argues that it is improper to combine the references Davis with Ichiyoshi where the references teach away from their combination. The applicant asserts that *Davis's shift register 11 delays the input signal in the transmitted path that includes the non-linear amplifier 34 and not the reference path that includes the ROM*

13. Accordingly, Davis's shift register 11 teaches a delay in the opposite direction to the delay 27 taught by Ichiyoshi and thus, the references teach away from their combination.

Examiner's response --- The combination of Davis with Ichiyoshi is proper because the references do not teach away from their combination. The incorporation of a delay, as taught by Ichiyoshi, into the reference path of Davis would not render Davis's shift register 11 unsatisfactory for its intended purpose or change the principle of operation. In order for the comparators 17I and 17Q of Davis to provide a proper comparison results, the signals 16 and 30 arrive at the comparators 17 should be time-aligned. That is, the time required for the signal travels through the reference path (13-15) to the comparators and the time required for signal travels the transmission-feedback path (11-21-23-25-26-32-34-33-29) to the comparators must be substantially the same. Since the transmission-feedback path is longer and has more elements, it is expected that the time required to travel through the transmission-feedback path is longer than the time required to travel through the reference path. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a delay in the reference path to compensate the extra time to travel through the transmission-feedback path so as to make sure the signals arrive at the comparators are time-aligned. The incorporation of a delay into the reference path of Davis would not change the principle of operation of any elements of Davis, including the shift register 11. The examiner disagrees with the argument that the incorporation of a delay in the reference path is improper because the transmission path has a delay,

i.e., shift register. In fact, one of ordinary skill in the art would be even more motivated to incorporate a delay in an opposite direction, i.e., the reference path, to compensate the delay caused by the shift register in the transmission path.

Allowable Subject Matter

7. Claims 1-5 would allowable if rewritten to overcome the claim objections above. Claims 13-18, 22, 23 and 27-29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 30 and 31 are allowed. Claims 30 and 31 are allowable because the prior art of record does not teach a digital filter adapted to delay and phase rotate an input signal of the RF transmitter along a side path, where the delay is configurable to approximately coincide with a first delay in time of a forward transmitting path and a return path with a second delay in time of the side path.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chieh M. Fan whose telephone number is (571) 272-3042. The examiner can normally be reached on Monday-Friday 8:00AM-5:30PM, Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on (571) 272-3056. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

Chieh M Fan
Primary Examiner
Art Unit 2634

May 13, 2005